

EXHIBIT B



US00D858870S

(12) **United States Design Patent** (10) **Patent No.:** **US D858,870 S**
Bowen et al. (45) **Date of Patent:** **** Sep. 3, 2019**

(54) **VAPORIZER CARTRIDGE**(56) **References Cited**(71) Applicant: **JUUL Labs, Inc.**, San Francisco, CA (US)

U.S. PATENT DOCUMENTS

(72) Inventors: **Adam Bowen**, San Francisco, CA (US);
Steven Christensen, San Francisco, CA (US); **Christopher Nicholas HibmaCronan**, Oakland, CA (US);
James Monsees, San Francisco, CA (US); **Joshua Morenstein**, San Francisco, CA (US)

(73) Assignee: **JUUL Labs, Inc.**, San Francisco, CA (US)(**) Term: **15 Years**(21) Appl. No.: **29/662,037**(22) Filed: **Aug. 31, 2018****Related U.S. Application Data**

(63) Continuation of application No. 35/001,170, filed on Jul. 28, 2016 (U.S. filing date under 35 U.S.C. 384), and having an international filing date of Mar. 11, 2016, now Pat. No. Des. 842,536.

Foreign Application Priority Data

Feb. 8, 2016 (CN) 2016 3 0043696

(51) **LOC (12) Cl.** **27-02**

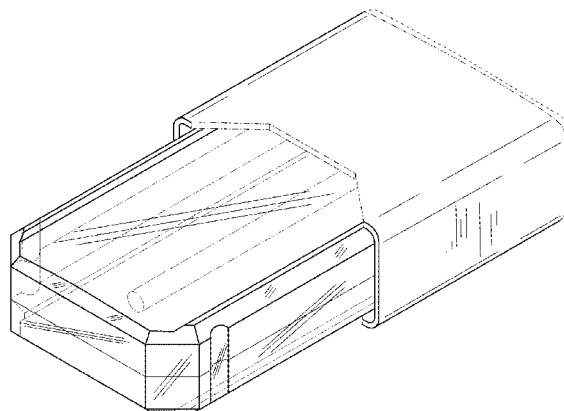
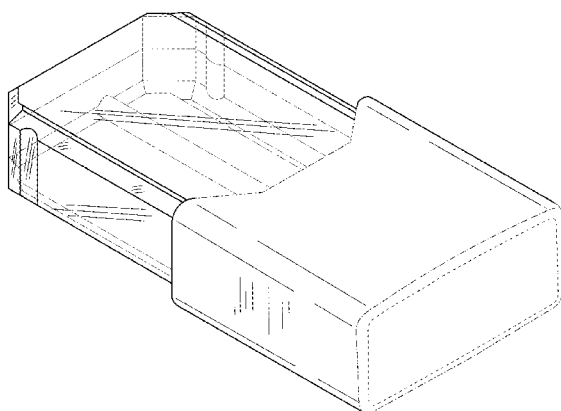
(52) **U.S. Cl.**
 USPC **D27/162**

(58) **Field of Classification Search**
 USPC D24/110; D27/100-102, 163, 165-167, D27/193-194

CPC A24F 1/26; A24F 1/30; A24F 3/00; A24F 7/00; A24F 15/00; A24F 23/00; A24F 23/02; A24F 47/00; A24F 47/002; A24F 47/008

See application file for complete search history.

595,070 A	12/1897	Oldenbusch	
2,897,958 A	8/1959	Tarleton et al.	
2,956,569 A	10/1960	Adams	
3,723,048 A	3/1973	Russell	
3,918,451 A	11/1975	Steil	
D299,066 S *	12/1988	Newell	D24/110
5,479,948 A	1/1996	Counts et al.	
D379,810 S	6/1997	Giordano, Jr. et al.	
5,746,587 A	5/1998	Racine et al.	
D405,007 S	2/1999	Naas, Sr.	
D422,884 S	4/2000	Lafond	
6,743,030 B2	6/2004	Lin et al.	
D514,741 S	2/2006	Cohen Harel	
7,000,775 B2	2/2006	Gelardi et al.	
D532,927 S	11/2006	Sann	
7,214,075 B2	5/2007	He et al.	
D558,060 S	12/2007	Sir	
7,318,435 B2	1/2008	Pentafragas	
D566,709 S	4/2008	Kim	
D571,556 S	6/2008	Raile	
D573,464 S	7/2008	Kogure et al.	
7,644,823 B2	1/2010	Gelardi et al.	
D616,753 S	6/2010	Beam et al.	
D645,817 S	9/2011	Sasada et al.	
D647,101 S *	10/2011	Huang	D14/480.7
D664,636 S	7/2012	Robinson et al.	
D669,530 S *	10/2012	Hung	D19/166
D675,777 S	2/2013	Wu	
8,371,709 B2	2/2013	Cheng	
D688,415 S	8/2013	Kim	
8,522,776 B2	9/2013	Wright et al.	
D703,679 S *	4/2014	Chen	D14/480.1
D703,680 S *	4/2014	Lin	D14/480.1
8,695,794 B2	4/2014	Scatterday	
8,707,965 B2	4/2014	Newton	
D707,688 S *	6/2014	Wu	D14/480.1
D711,389 S *	8/2014	Sun	D14/480.5
D711,891 S *	8/2014	Emami	D14/480.5
8,794,231 B2	8/2014	Thorens et al.	
D718,492 S	11/2014	Albanese	
8,955,522 B1	2/2015	Bowen et al.	
D724,782 S	3/2015	Wu	
D729,441 S	5/2015	Hua	
D738,038 S	9/2015	Smith	
D739,973 S	9/2015	Chao	
9,167,849 B2	10/2015	Adamic	
D745,388 S	12/2015	Taylor	
D749,261 S	2/2016	Chen	
D750,320 S	2/2016	Verleur et al.	



US D858,870 S

Page 2

D752,278 S	3/2016	Verleur et al.	2015/0328415 A1	11/2015	Minskoff et al.
D752,280 S	3/2016	Verleur et al.	2015/0374039 A1	12/2015	Zhu
D752,282 S	3/2016	Doster	2016/0007654 A1	1/2016	Zhu
D752,284 S	3/2016	Doster	2016/0095355 A1	4/2016	Hearn
D756,032 S	5/2016	Chen	2016/0095356 A1	4/2016	Chan
D758,650 S	6/2016	Wu	2016/0113323 A1	4/2016	Liu
D762,001 S	7/2016	Liu	2016/0121058 A1	5/2016	Chen
D764,703 S	8/2016	Liu	2016/0134143 A1	5/2016	Liu
D772,478 S	11/2016	Liu	2016/0143358 A1	5/2016	Zhu
D773,114 S	11/2016	Leidel et al.	2016/0150824 A1	6/2016	Memari et al.
D773,727 S	12/2016	Eksouzian	2016/0166564 A1	6/2016	Myers et al.
D774,247 S	12/2016	Chen	2016/0167846 A1	6/2016	Zahr et al.
D774,693 S	12/2016	Liu	2016/0174611 A1	6/2016	Monsees et al.
D775,413 S	12/2016	Liu	2016/0192707 A1	7/2016	Li et al.
D776,338 S	1/2017	Lomeli	2016/0227841 A1	8/2016	Li et al.
9,549,573 B2	1/2017	Monsees et al.	2016/0270446 A1	9/2016	Shenkal et al.
D778,492 S	2/2017	Liu	2016/0278436 A1	9/2016	Verleur et al.
9,596,887 B2	3/2017	Newton	2016/0295913 A1	10/2016	Guo et al.
9,603,390 B2	3/2017	Li et al.	2016/0324211 A1	11/2016	Yankelevich
D784,609 S	4/2017	Liu	2016/0345626 A1	12/2016	Wong et al.
D793,620 S	8/2017	Bennett et al.	2016/0353805 A1	12/2016	Hawes et al.
9,723,877 B2	8/2017	Wong et al.	2016/0360789 A1	12/2016	Hawes et al.
D799,746 S	10/2017	Leidel et al.	2016/0366943 A1	12/2016	Li et al.
D802,206 S	11/2017	Huang et al.	2016/0366947 A1	12/2016	Monsees et al.
D806,311 S	12/2017	Smith	2016/0374399 A1	12/2016	Monsees et al.
D811,003 S *	2/2018	Folyan D27/101	2017/0000190 A1	1/2017	Wu
9,956,357 B2	5/2018	Chen	2017/0013875 A1	1/2017	Schennum et al.
D819,881 S *	6/2018	Qiu D27/101	2017/0035115 A1	2/2017	Monsees et al.
D822,896 S *	7/2018	Durand D27/101	2017/0042246 A1	2/2017	Lau et al.
10,045,568 B2	8/2018	Monsees et al.	2017/0049153 A1	2/2017	Guo et al.
10,058,124 B2	8/2018	Monsees et al.	2017/0065001 A1	3/2017	Li et al.
10,058,129 B2	8/2018	Monsees et al.	2017/0071256 A1	3/2017	Verleur et al.
D829,371 S *	9/2018	Durand D27/101	2017/0095005 A1	4/2017	Monsees et al.
D834,702 S *	11/2018	Evans D24/110	2017/0119044 A1	5/2017	Oligschlaeger et al.
D836,190 S *	12/2018	Evans D24/110	2017/0119060 A1	5/2017	Li et al.
D836,831 S *	12/2018	Cividi D27/162	2017/0150754 A1	6/2017	Lin
D836,834 S *	12/2018	Cividi D27/194	2017/0181471 A1	6/2017	Phillips et al.
D842,237 S *	3/2019	Qiu D13/103	2017/0196264 A1	7/2017	Liu
D844,235 S *	3/2019	Cividi D27/167	2017/0197046 A1	7/2017	Buchberger
D845,964 S *	4/2019	Kim D14/480.5	2017/0202265 A1	7/2017	Hawes et al.
2001/0032643 A1	10/2001	Hochrainer et al.	2017/0208863 A1	7/2017	Davis et al.
2002/0043262 A1	4/2002	Langford et al.	2017/0231280 A1	8/2017	Anton
2005/0016533 A1	1/2005	Schuler et al.	2017/0231281 A1	8/2017	Hatton et al.
2005/0029137 A1	2/2005	Wang	2017/0231282 A1	8/2017	Bowen et al.
2005/0118545 A1	6/2005	Wong	2017/0233114 A1	8/2017	Christensen et al.
2005/0252511 A1	11/2005	Pentafragas	2017/0259170 A1	9/2017	Bowen et al.
2007/0089757 A1	4/2007	Bryman	2017/0302324 A1	10/2017	Stanimirovic et al.
2007/0229025 A1	10/2007	Tsai et al.	2018/0070649 A1	3/2018	Monsees et al.
2008/0023003 A1	1/2008	Rosenthal	2018/0103686 A1	4/2018	Monsees et al.
2009/0151717 A1	6/2009	Bowen et al.	2018/0140005 A1	5/2018	Lin et al.
2009/0260641 A1	10/2009	Monsees et al.	2018/0140015 A1	5/2018	Carroll et al.
2009/0260642 A1	10/2009	Monsees et al.	2018/0177234 A1	6/2018	Lee
2009/0272379 A1	11/2009	Thorens et al.			
2010/0307116 A1	12/2010	Fisher			
2011/0125146 A1	5/2011	Greeley et al.			
2011/0265806 A1	11/2011	Alarcon et al.			
2012/0325227 A1	12/2012	Robinson et al.			
2013/0042865 A1	2/2013	Monsees et al.			
2013/0220847 A1	8/2013	Fisher et al.			
2013/0228191 A1	9/2013	Newton			
2013/0312742 A1	11/2013	Monsees et al.			
2014/0021190 A1	1/2014	Sardar			
2015/0034104 A1	2/2015	Zhou			
2015/0053217 A1	2/2015	Steingraber et al.			
2015/0102777 A1	4/2015	Cooper			
2015/0114410 A1	4/2015	Doster			
2015/0122252 A1	5/2015	Frija			
2015/0128967 A1	5/2015	Robinson et al.			
2015/0128971 A1	5/2015	Verleur et al.			
2015/0128972 A1	5/2015	Verleur et al.			
2015/0128976 A1	5/2015	Verleur et al.			
2015/0157056 A1	6/2015	Bowen et al.			
2015/0189919 A1	7/2015	Liu			
2015/0208729 A1	7/2015	Monsees et al.			
2015/0245654 A1	9/2015	Memari et al.			
2015/0282530 A1	10/2015	Johnson et al.			
2015/0305409 A1	10/2015	Verleur et al.			
2015/0313287 A1	11/2015	Verleur et al.			
2015/0327596 A1	11/2015	Alarcon et al.			

FOREIGN PATENT DOCUMENTS

AU	2017202891 A1	5/2017
CN	1122213 A	5/1996
CN	101869356 A	10/2010
CN	301485739	3/2011
CN	301753038	12/2011
CN	301797114	1/2012
CN	301955679	6/2012
CN	202890462 U	4/2013
CN	103141944 A	6/2013
CN	302485056	6/2013
CN	203087525 U	7/2013
CN	302859209	6/2014
CN	303044212	12/2014
CN	303091330	1/2015
CN	303091331	1/2015
CN	303103391	2/2015
CN	303210086	5/2015
CN	204466899 U	7/2015
CN	303332720	8/2015
CN	104983076 A	10/2015
CN	303103389	11/2015
CN	303457556	11/2015
CN	303574274	1/2016
CN	303103390	2/2016

US D858,870 S

Page 3

CN	303686002	5/2016
CN	303721535	6/2016
CN	205390306 U	7/2016
EM	002626416-002	4/2015
EP	3015010 A1	5/2016
EP	3031339 A1	6/2016
EP	3103356 A1	12/2016
EP	3111787 A1	1/2017
EP	3143882 A3	3/2017
EP	3158881 A1	4/2017
JP	D1144098	6/2002
KR	30-0825216	11/2015
WO	WO-2013113612 A1	8/2013
WO	WO-2014040915 A1	3/2014
WO	WO-2015073564 A1	5/2015
WO	WO-2015157900 A1	10/2015
WO	WO-2015190810 A1	12/2015
WO	WO-2016023173 A1	2/2016
WO	WO-2016123779 A1	8/2016
WO	WO-2016127839 A1	8/2016
WO	WO-2016177604 A1	11/2016
WO	WO-2016201606 A1	12/2016
WO	WO-2017007252 A1	1/2017
WO	WO-2017093452 A1	6/2017
WO	WO-2017102633 A1	6/2017
WO	WO-2017143865 A1	8/2017

OTHER PUBLICATIONS

“Checking Your Browser before Accessing www.bulkofficesupply.com.” *Discount Office Supplies, Office Paper Products Legal Supplies*, www.bulkofficesupply.com/Products/Baumgartens-Single-Hole-Trap-Door-Pencil-Sharpener-with-Eraser_BAU19550.aspx, retrieved Mar. 17, 2019.

Breland, Alison, et al. “Electronic cigarettes: what are they and what do they do?” *Annals of the New York Academy of Sciences* 1394.1 (2017): 5-30.

Electronic Vaporization Device with Cartridge | JUUL Pod | JUUL Vapor, Posted Jun. 3, 2015, juulvapor.com, retrieved Nov. 24, 2015, <https://www.juulvapor.com/shopjuul/>.

IJOY. “Who we are.” IJOY Diamond PD270 Kit, Date Accessed Feb. 20, 2018. www.ijoycig.com/product/item-473.html.

iWand Rectangular Pen Shape Design Flat Short Mouth Holder 1.0ML Tank Atomizer LED Display 800mAh Rechargeable E—Cigarette Set—Colorful, https://www.gearbest.com/electronic-cigarettes/pp_15466.html, accessed Jan. 25, 2019.

Joye eGo-Tank System XXL 1000mAh Starter Kit, <https://www.myvaporstore.com/eGo-Tank-System-XXL-1000mAh-Starter-Kit-p/ego-t-xxlkit.htm>.

Modello iWand, https://www.youtube.com/watch?v=_brQOLDqHX0, Youtube, Dec. 28, 2012.

PAX Labs, Inc.; JUUL product information Ó2016; retrieved from <https://www.juulvapor.com/shop-juul/>; 6 pgs.; retrieved Mar. 9, 2016.

Pierce, D. This Might Just Be the First Great E-Cig. {online} Wired, Published on Apr. 21, 2015. Available at: https://www.wired.com/2015/04/pax-juul-ecig/?mbid=social_twitter.

Rose Plastic. *Rose Plastic: Innovations in Plastic Packaging*, www.rose-plastic.us/2030.0.html?&L=4p?id=2337id=2345iel25%world-wide%unique%plastic%packaging%with%remarkable%diversity, retrieved Mar. 17, 2019.

The Verge. Startup behind the Lambo of vaporizers jt launched an intelligent e-cigarette. [online], published on Apr. 21, 2015. Available at: <https://www.theverge.com/2015/4/21/8458629/pax-labs-e-cigarette-juul>.

* cited by examiner

(74) *Attorney, Agent, or Firm* — Mintz Levin Cohn Ferris Glovsky and Popeo, P.C.

(57) CLAIM

The ornamental design for a vaporizer cartridge, as shown and described.

DESCRIPTION

FIG. 1 is a right side, front, and top perspective view of a vaporizer cartridge showing a first embodiment of our design;

FIG. 2 is a bottom, front, and right side perspective view thereof;

FIG. 3 is a front view thereof, the rear view thereof being identical;

FIG. 4 is a left side view thereof, the right side view thereof being identical;

FIG. 5 is bottom view thereof; and

FIG. 6 is a top view thereof.

FIG. 7 is a right side, front, and top perspective view of a vaporizer cartridge showing a second embodiment of our design;

FIG. 8 is a bottom, front, and right side perspective view thereof;

FIG. 9 is a front view thereof, the rear view thereof being identical;

FIG. 10 is a left side view thereof, the right side view thereof being identical;

FIG. 11 is bottom view thereof; and

FIG. 12 is a top view thereof.

FIG. 13 is a right side, front, and top perspective view of a vaporizer cartridge showing a third embodiment of our design;

FIG. 14 is a bottom, front, and right side perspective view thereof;

FIG. 15 is a front view thereof, the rear view thereof being identical;

FIG. 16 is a left side view thereof, the right side view thereof being identical;

FIG. 17 is bottom view thereof; and

FIG. 18 is a top view thereof.

FIG. 19 is a right side, front, and top perspective view of a vaporizer cartridge showing a fourth embodiment of our design;

FIG. 20 is a bottom, front, and right side perspective view thereof;

FIG. 21 is a front view thereof, the rear view thereof being identical;

FIG. 22 is a left side view thereof, the right side view thereof being identical;

FIG. 23 is bottom view thereof; and,

FIG. 24 is a top view thereof.

The dash-dash broken lines illustrate portions of the vaporizer cartridge that form no part of the claimed design.

The dash-dot lines illustrate boundary lines that form no part of the claimed design. The areas within the dash-dot lines form no part of the claimed design.

U.S. Patent

Sep. 3, 2019

Sheet 1 of 24

US D858,870 S

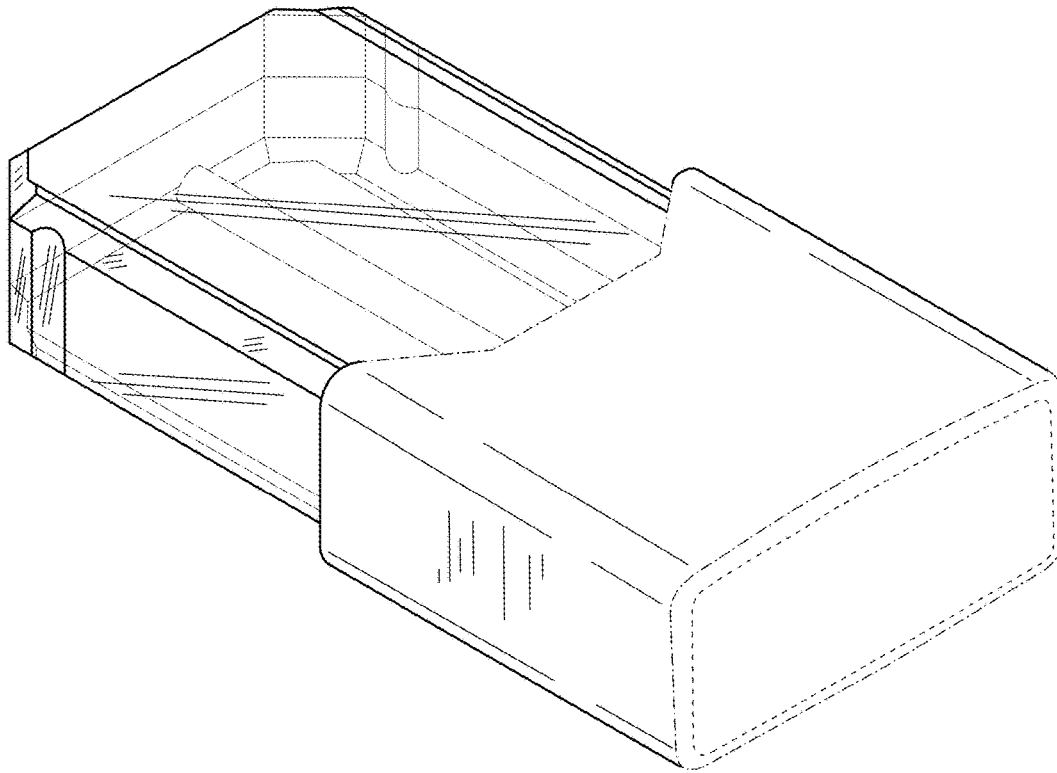


FIG.1

U.S. Patent

Sep. 3, 2019

Sheet 2 of 24

US D858,870 S

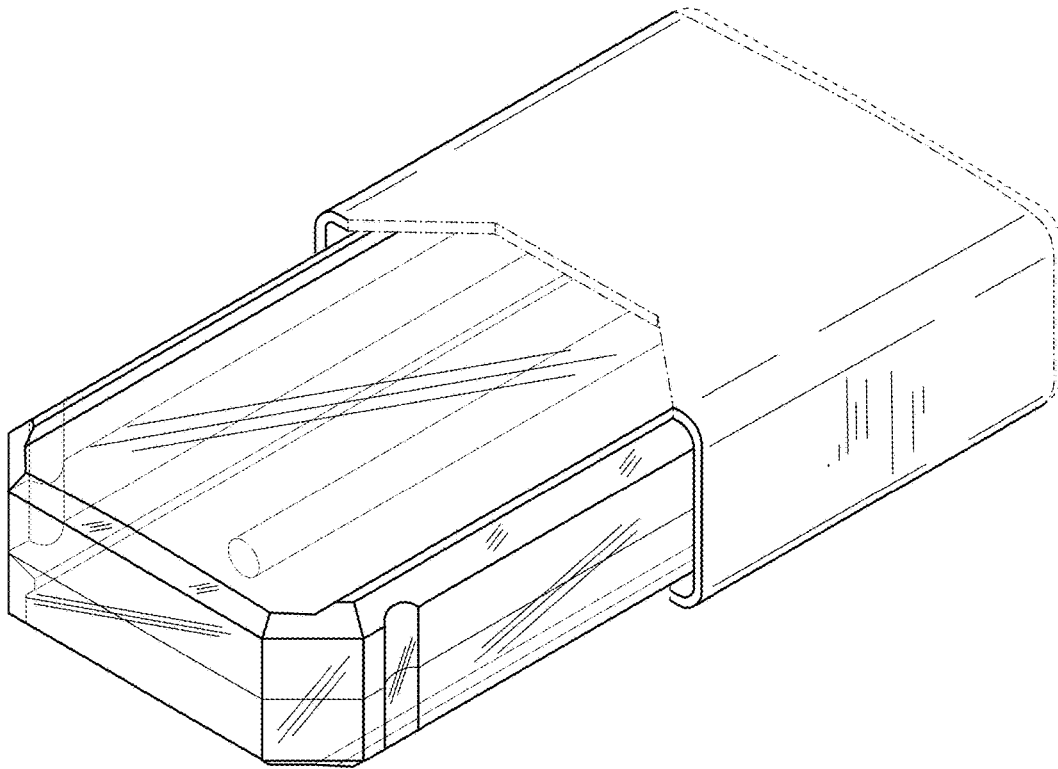


FIG.2

U.S. Patent

Sep. 3, 2019

Sheet 3 of 24

US D858,870 S

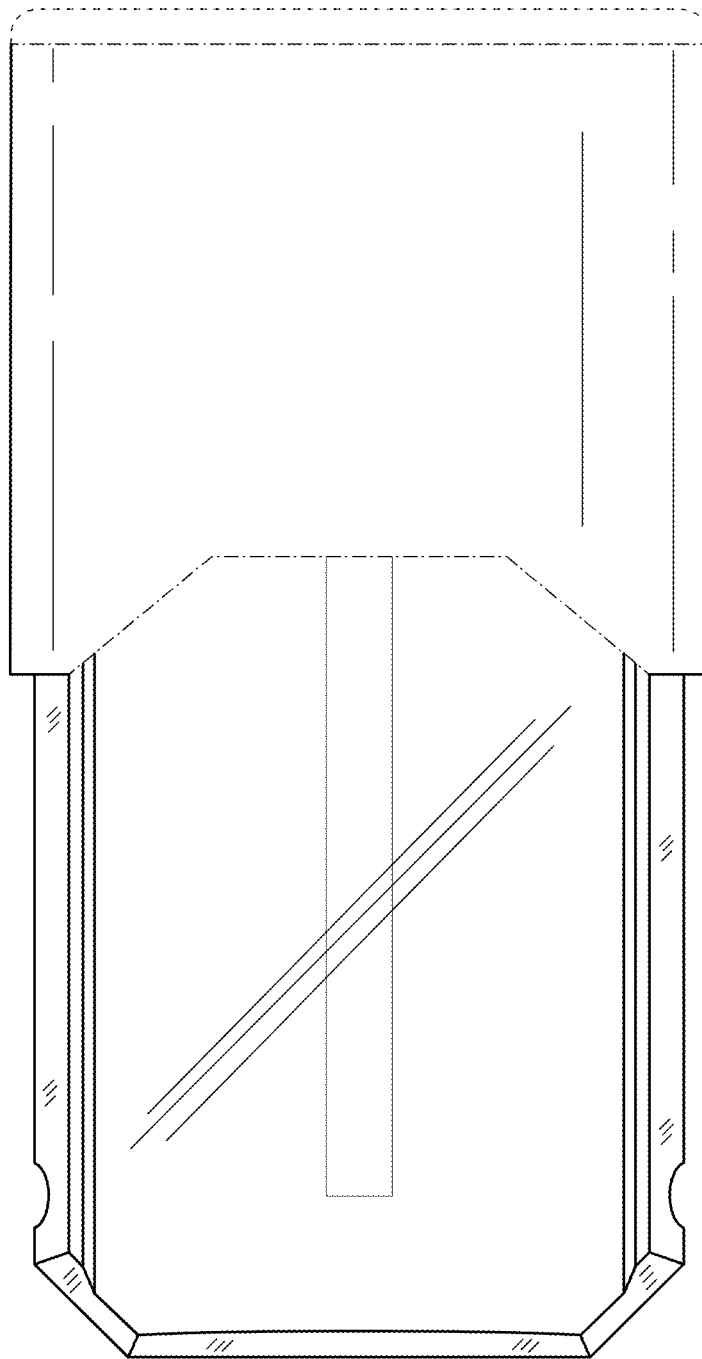


FIG.3

U.S. Patent

Sep. 3, 2019

Sheet 4 of 24

US D858,870 S

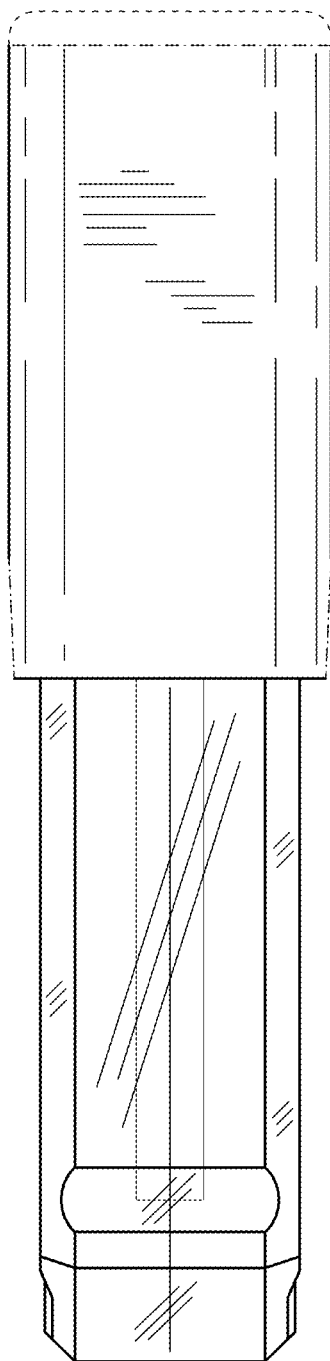


FIG.4

U.S. Patent

Sep. 3, 2019

Sheet 5 of 24

US D858,870 S

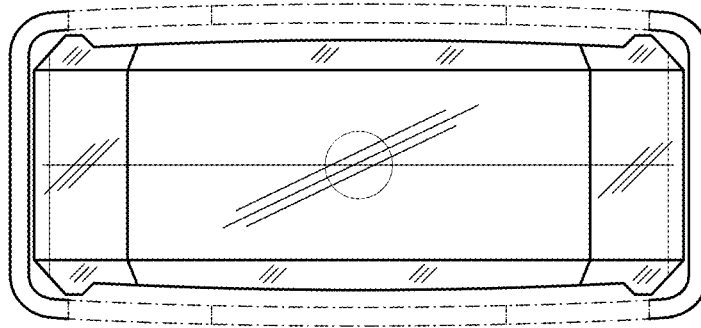


FIG.5

U.S. Patent

Sep. 3, 2019

Sheet 6 of 24

US D858,870 S

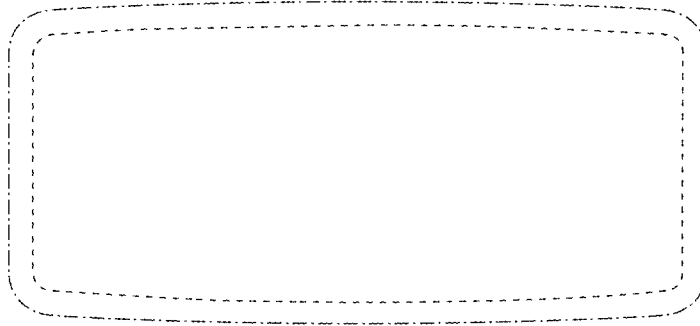


FIG.6

U.S. Patent

Sep. 3, 2019

Sheet 7 of 24

US D858,870 S

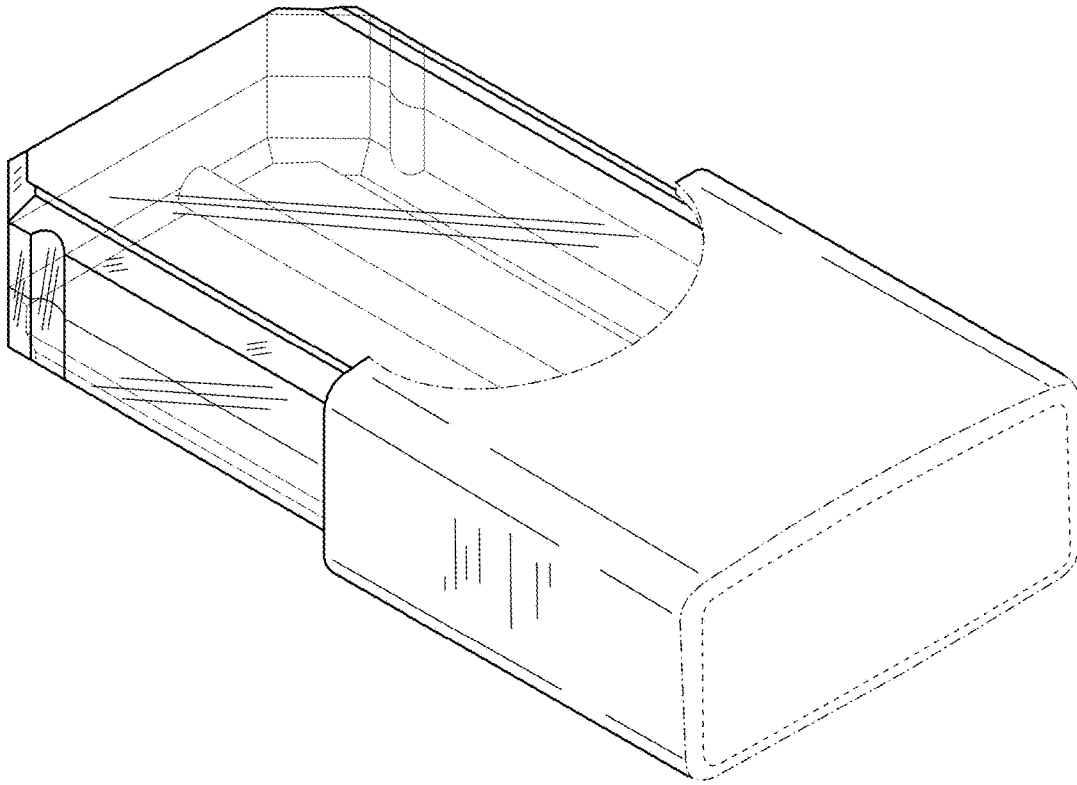


FIG.7

U.S. Patent

Sep. 3, 2019

Sheet 8 of 24

US D858,870 S

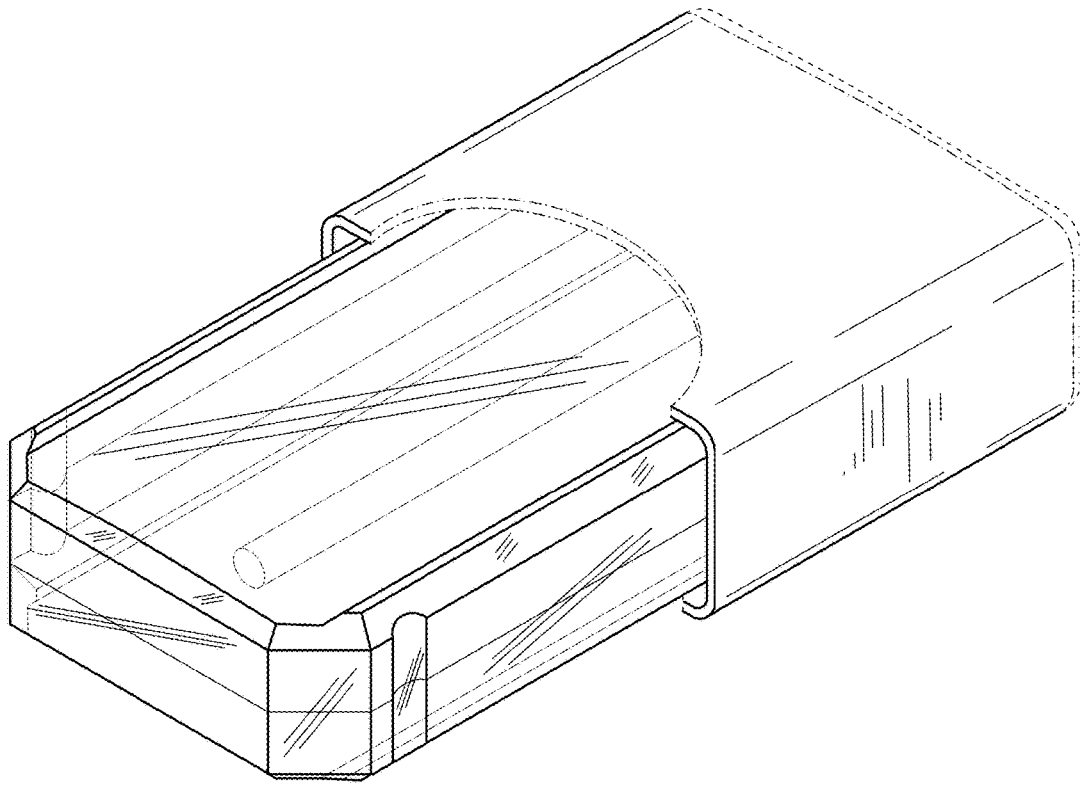


FIG.8

U.S. Patent

Sep. 3, 2019

Sheet 9 of 24

US D858,870 S

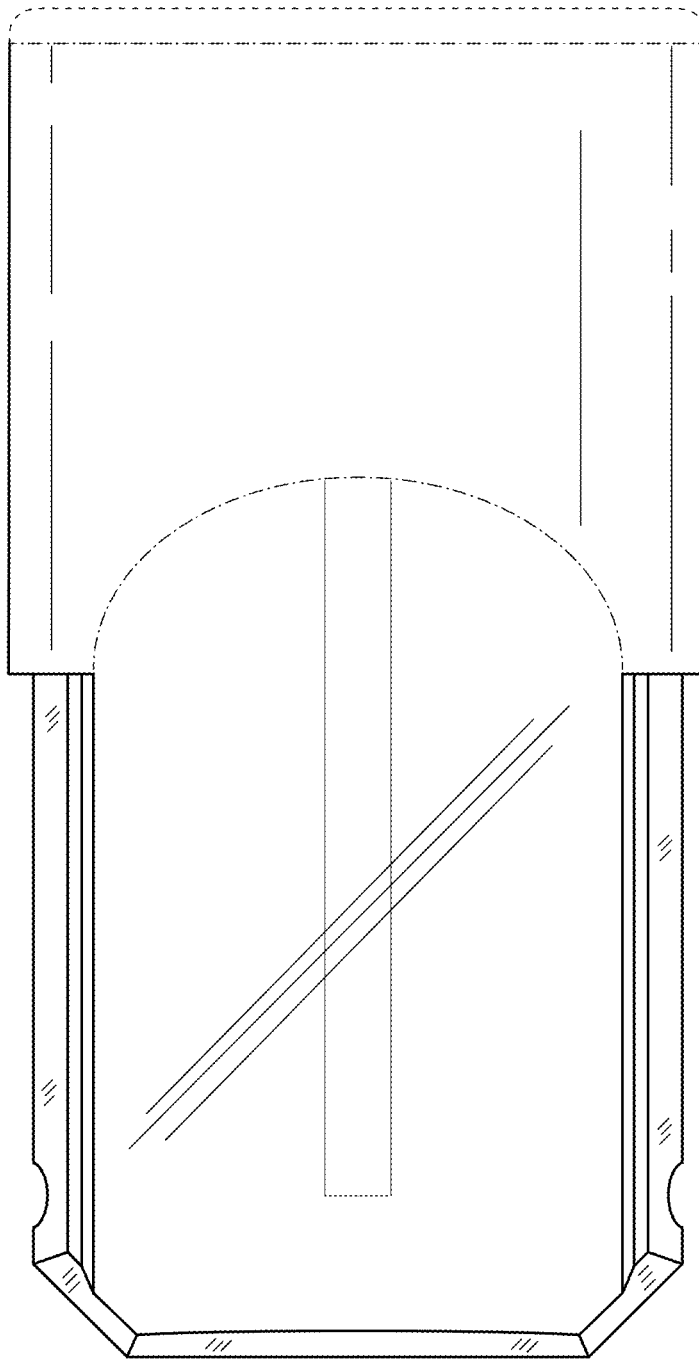


FIG.9

U.S. Patent

Sep. 3, 2019

Sheet 10 of 24

US D858,870 S

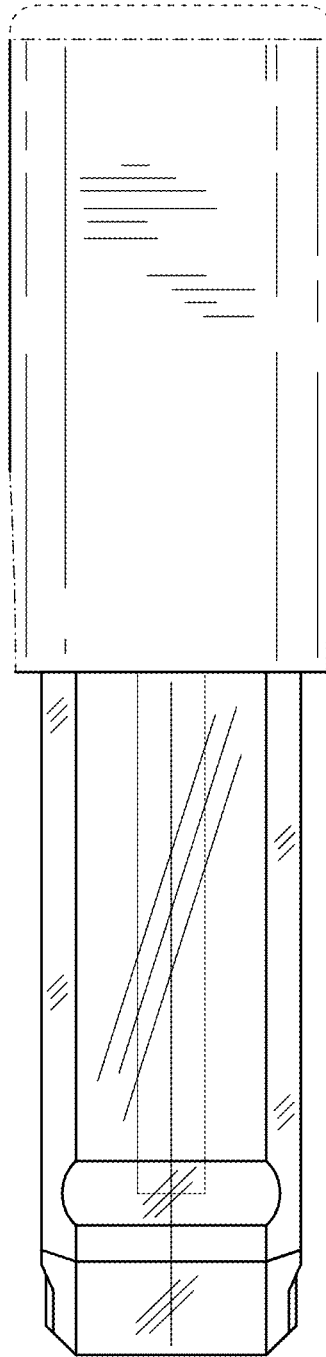


FIG.10

U.S. Patent

Sep. 3, 2019

Sheet 11 of 24

US D858,870 S

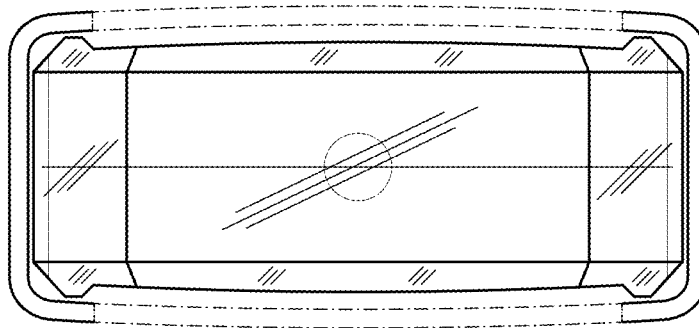


FIG.11

U.S. Patent

Sep. 3, 2019

Sheet 12 of 24

US D858,870 S

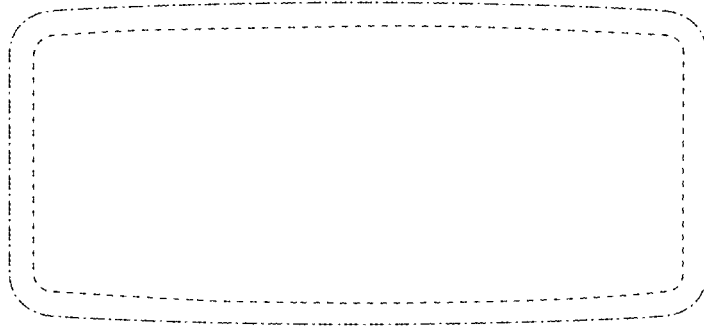


FIG.12

U.S. Patent

Sep. 3, 2019

Sheet 13 of 24

US D858,870 S

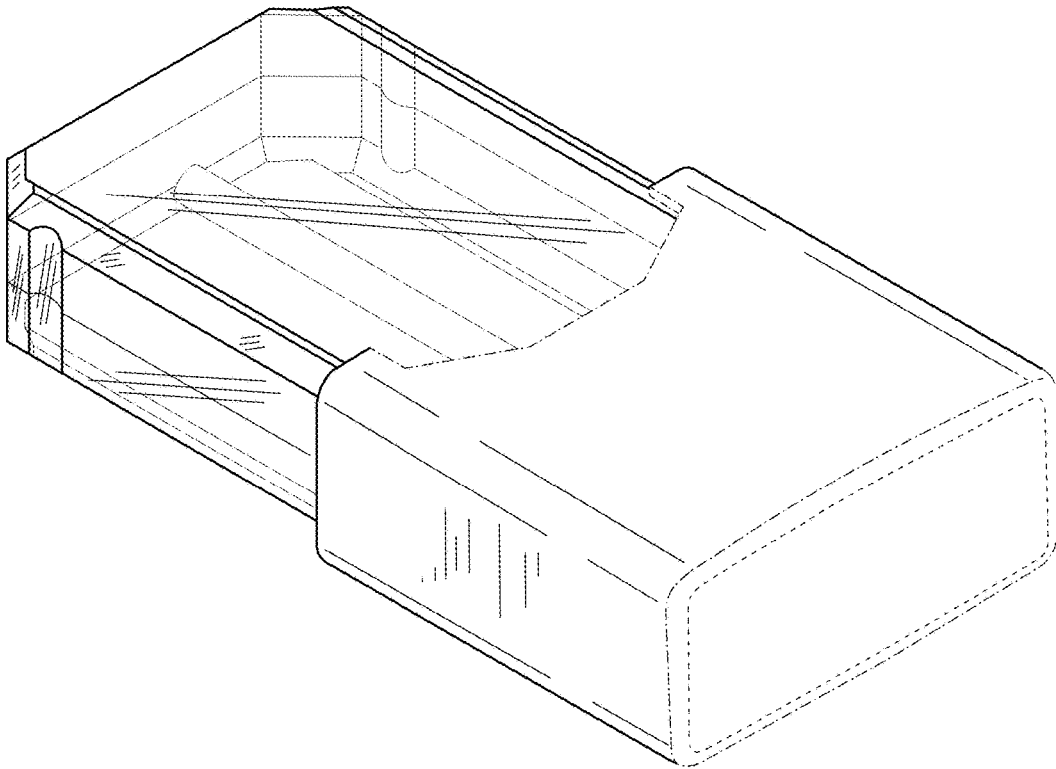


FIG.13

U.S. Patent

Sep. 3, 2019

Sheet 14 of 24

US D858,870 S

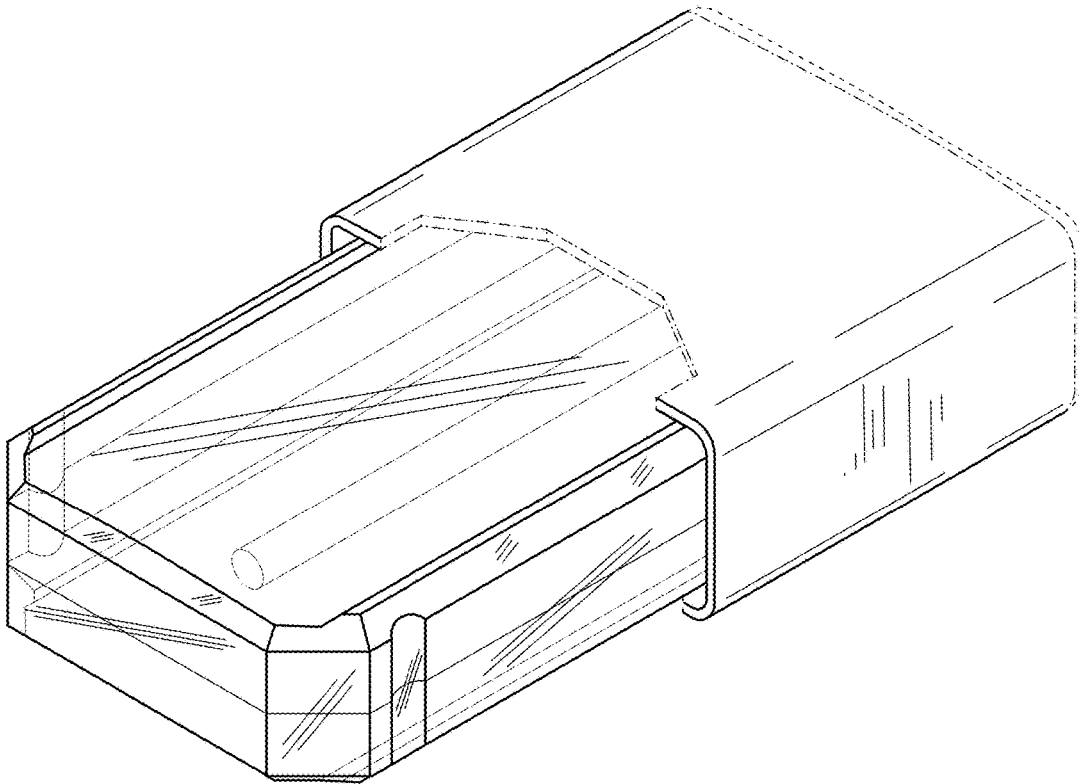


FIG.14

U.S. Patent

Sep. 3, 2019

Sheet 15 of 24

US D858,870 S

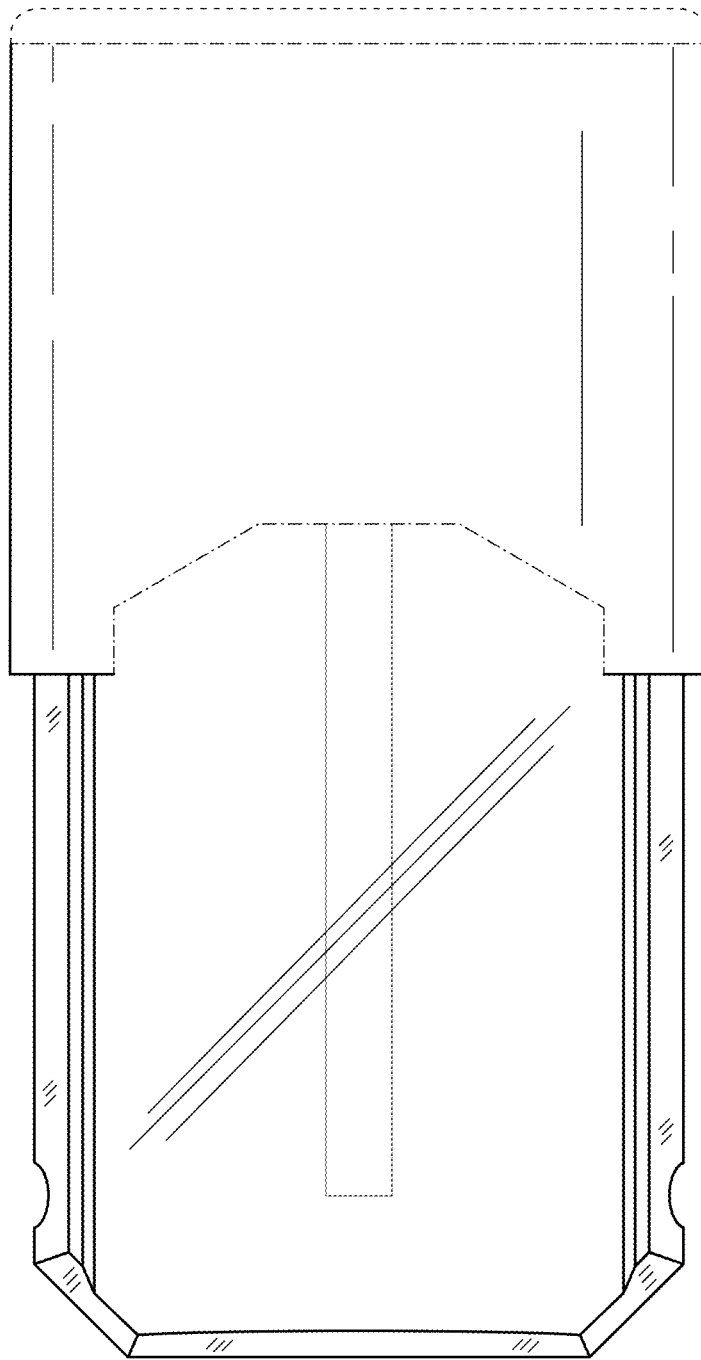


FIG.15

U.S. Patent

Sep. 3, 2019

Sheet 16 of 24

US D858,870 S

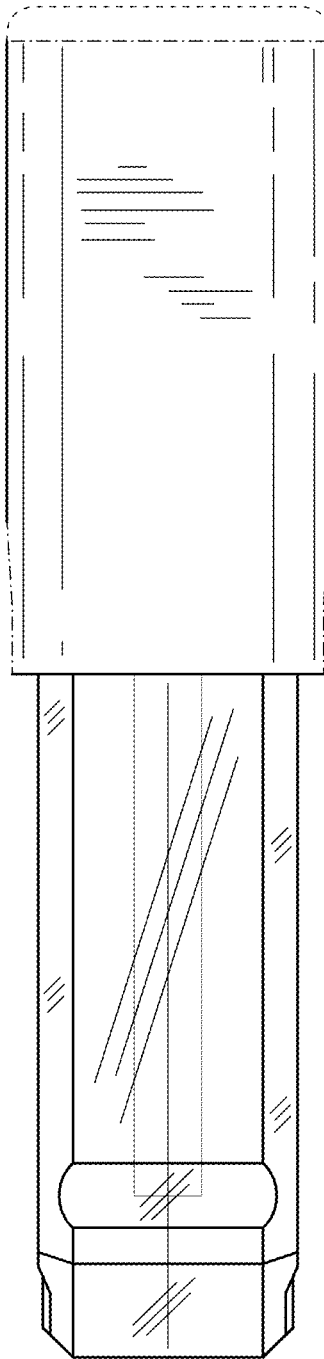


FIG.16

U.S. Patent

Sep. 3, 2019

Sheet 17 of 24

US D858,870 S

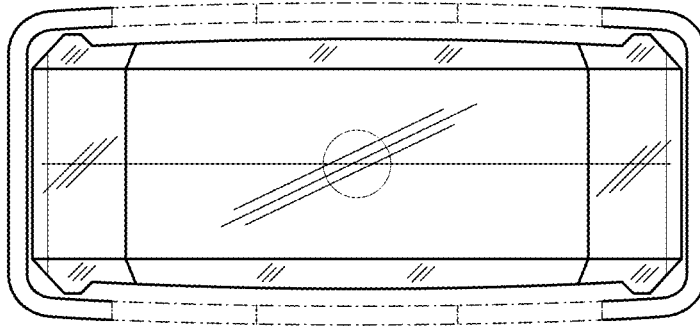


FIG.17

U.S. Patent

Sep. 3, 2019

Sheet 18 of 24

US D858,870 S

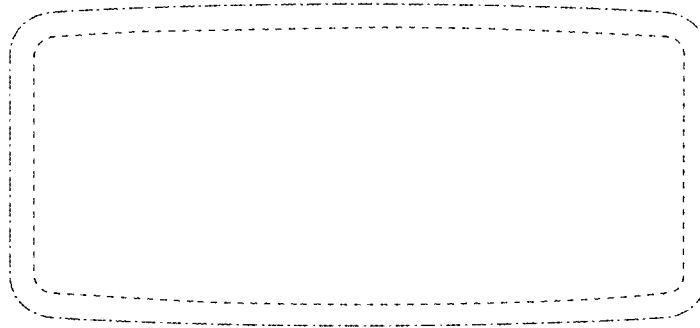


FIG.18

U.S. Patent

Sep. 3, 2019

Sheet 19 of 24

US D858,870 S

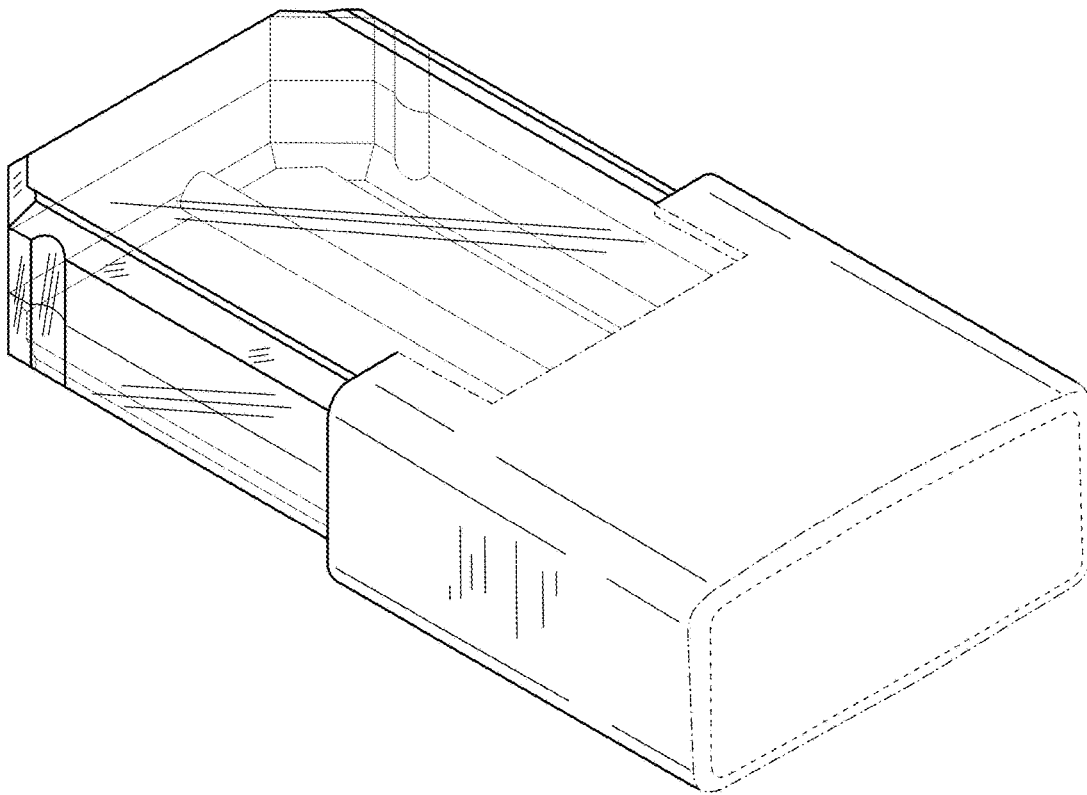


FIG.19

U.S. Patent

Sep. 3, 2019

Sheet 20 of 24

US D858,870 S

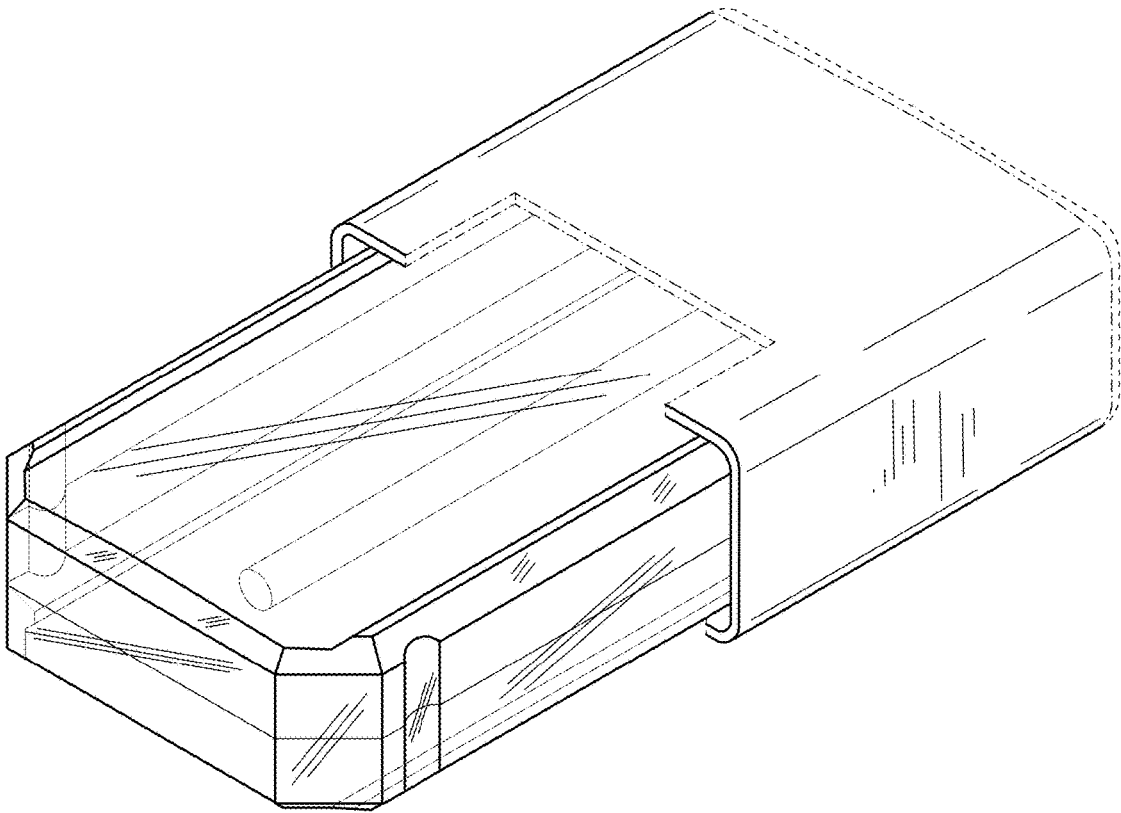


FIG.20

U.S. Patent

Sep. 3, 2019

Sheet 21 of 24

US D858,870 S

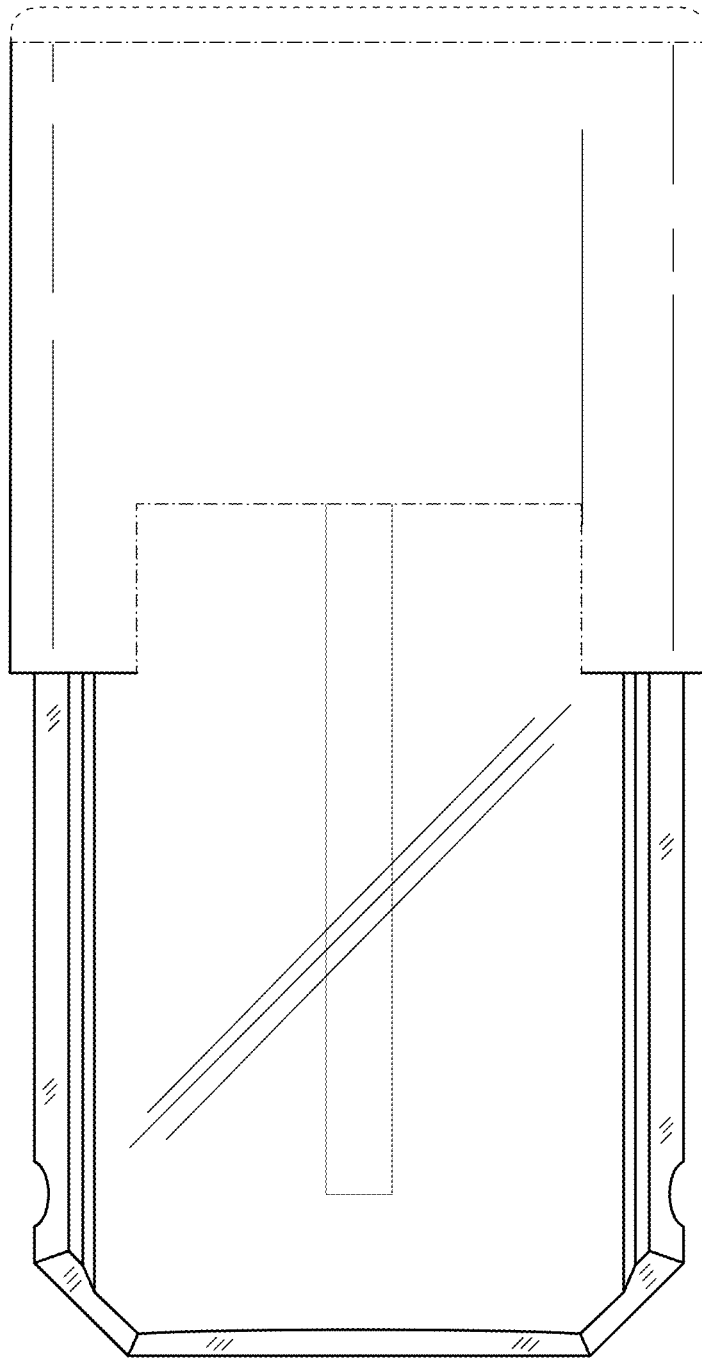


FIG.21

U.S. Patent

Sep. 3, 2019

Sheet 22 of 24

US D858,870 S

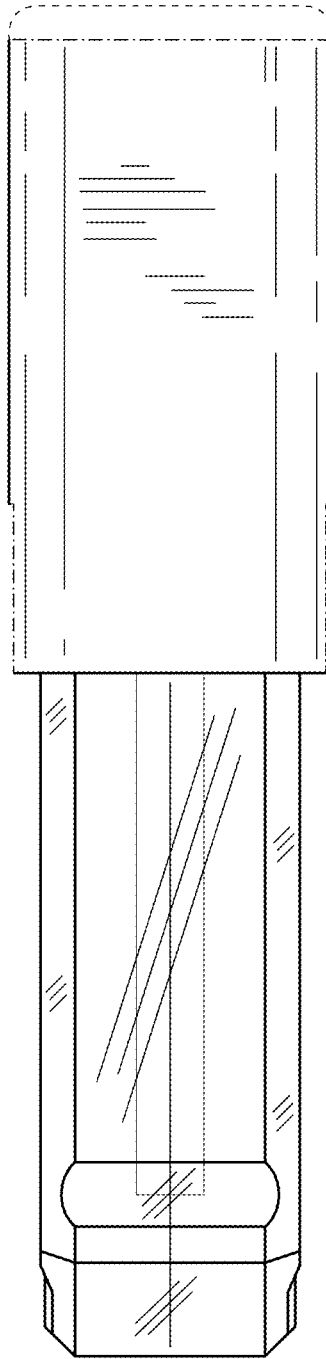


FIG.22

U.S. Patent

Sep. 3, 2019

Sheet 23 of 24

US D858,870 S

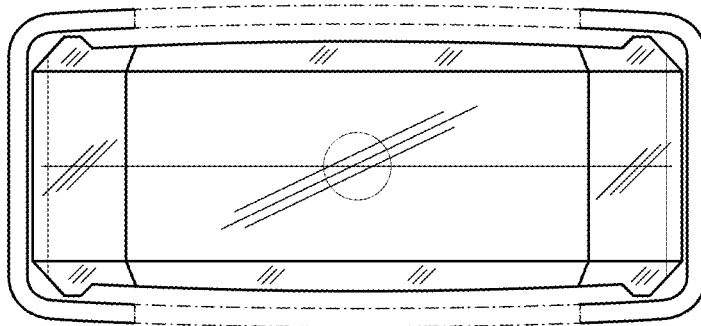


FIG.23

U.S. Patent

Sep. 3, 2019

Sheet 24 of 24

US D858,870 S

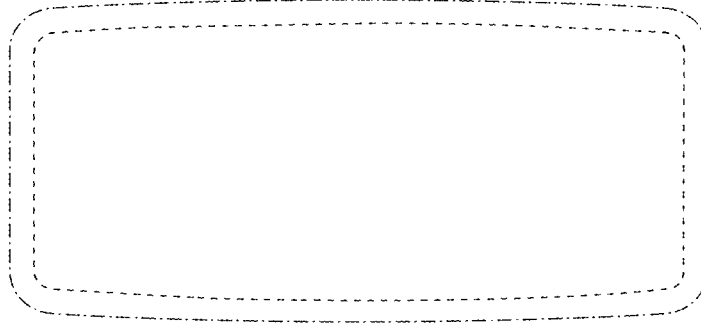


FIG.24